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SUBJECT: NATIONAL RECONCILIATION AND REPARATIONS
COMMISSION'S SLOW BUT STEADY PROGRESS

Classified By: Ambassador William B. Wood.
Reasons: 1.4 (b) and (d)

SUMMARY

¶1. (C) National Reconciliation and Reparations Commission (CNRR) President Eduardo Pizarro Leongomez briefed Ambassador on November 10 on the commission's positive progress to date. Pizarro was highly encouraged by the support CNRR has received from the international community and the Catholic and Protestant Churches. The commission is meeting every 15 days and has had two major meetings since its official launch on October 4. The Ambassador recognized the challenge of leading a commission of this nature before the conflict has ended, but recommended that it focus on collecting information that will accurately reflect the history of paramilitarism in Colombia and resist the temptation to hide elements of the truth. Besides the many challenges that the CNRR must overcome, it has begun to embark upon the most difficult issues such as defining the criteria for victims and individual and collective reparations. End Summary.

PIZARRO OPTIMISTIC ON CNRR'S PROGRESS

¶2. (C) CNRR President Pizarro briefed the Ambassador on November 10 on the commission's positive progress to date. Pizarro was highly encouraged by the international community's support for the CNRR, in particular, from Canada, Sweden, Switzerland, Netherlands, Ireland, and Great Britain. He said compared to commissions from other countries that have lasted between nine months and 3 years, the CNRR's eight-year statute does not imply that they will need eight years to get the job done. The commission is meeting every 15 days and it has had two main closed-door meetings since its official launch on October 4.

¶3. (C) Pizarro underscored, however, that they still needed to define clearly the commission's short-term, medium-term, and long-term "flight plan". He explained that for the first phase, the commission would have to identify who are the victims)- besides the ones identified by the Prosecutor General's Office (Fiscalia) -- and what is considered

appropriate reparations. He said the Catholic and Protestant Churches have approached the commission and expressed their willingness to work with victims and assist in reparation efforts. In the second phase, the commission will have to focus on community reconciliation. He explained that the commission is responsible for producing a report on reinserted former combatants and organizing regional reparation committees. In the third phase, the commission will have to decide whether it evolves into a truth commission or helps establish one.

14. (C) The Ambassador said he hoped the commission would complement the justice side of the Justice and Peace (J&P) law. He understands the commission cannot and should not be everything for everyone, but it is up to the commission, not the Fiscalía, to tell the story of the paramilitary phenomenon and to be the voice of the victims. The commission should try to find a faster and more effective way to assist victims through the restitution of properties or monetary compensation. The Ambassador recognized the challenge of leading a commission of this nature before the conflict has ended, but recommended the commission focus on collecting information that will accurately reflect the history of paramilitarism in Colombia and resist the temptation to hide elements of the truth.

OBSERVATIONS FROM OTHER CNRR MEMBERS

15. (C) In poloff's separate meetings with commission civil society members Patricia Buritaca and Ana Bernal, both agreed that the overall consensus within the commission is to prioritize issues such as victims and defining the criteria

for individual and collective reparations. They said the Organization for American States Mission in Colombia must be strengthened to enhance its verification capability. Buritaca was most concerned with possible frictions that may arise within the commission between government and civil society members, since government representatives were in search of immediate results to satisfy their electorate.

16. (C) Buritaca and Bernal highlighted the following items from the commission's two closed-door meetings on October 19-20 and November 17:

-- A priority is to create a strategic vision and internal regulations for the commission; an initial draft is in circulation. Moreover, the commission must agree on short-term, medium-term, and long-term work plans.

-- For the selection of the two remaining commission victims' representatives, the CNRR has agreed that the requirements for their selection must be included within the J&P implementing regulations decree. After this decree becomes public, the commission will host a public hearing for all victims' organizations to explain the prerequisites and accept applications.

-- For the complete verification of the demobilizations and dismantling of illegal armed groups, commission members agreed that the most they can do is ask for reports from the corresponding governmental agencies. Based on this information, they will evaluate and formulate recommendations.

-- Since it is the Fiscalía and not the commission that should ensure reparations for individual victims, the members concluded that the commission should focus on collective reparations and more specifically, symbolic reparations for communities.

-- The commission should help organize victims; recommend the adoption of reparation policies; verify and evaluate reparation programs; and supervise the effective functioning of regional commissions for the restitution of property.

-- The commission should guarantee victims' participation in judicial processes and assist them to vindicate their rights.

-- It would be important to work on ending the violence cycle through the help of healing processes between victims and perpetrators.

-- All commission members strongly believe in strengthening institutions.

-- The commission should contribute to the reconstruction of historical memory.

-- Several commission members consider necessary the creation of a type of extrajudicial commission in the medium to long-term for the search for the truth of this conflict.

COMMENTS FROM VICE PRESIDENT'S OFFICE

¶7. (C) During a November 18 meeting with poloff, Vice Presidential CNRR adviser Alexandra Parra stated that Vice President Santos' commitment and involvement in this commission is helping solidify its support and legitimacy. Under the law, Parra explained that the Vice President could delegate his participation to someone else within his office, but he chose not to. Parra said this "genuine commitment" does not extend to other participating governmental agencies and could hinder the commission if there is not consistent high-level representation from the other agencies. She is also concerned with the disparate level of commitment from the five civil society members; the only two of whom are dedicating full-time work being Patricia Buritaca and Ana Bernal.

¶8. (C) Parra said that another challenge is coordination among the members. Individual commission members are meeting with donors and not communicating with the rest of the commission. For example, it came to her attention that Pizarro had met with the Canadians and obtained verbal support from them for the CNRR, but he failed to communicate this to the rest of the commission. She was also concerned with the Electoral Guarantees Law that was recently passed by Congress and upheld by the Constitutional Court, which prohibits the naming of any government official past 28 November. This payroll freeze came as a surprise since the commission still has many positions to fill and they are unable to name the necessary individuals in less than a week's time. Consequently, this will also delay their opening of offices, which was scheduled for January. (This payroll freeze extends until after the presidential election in May 2006.) Nevertheless, Parra compared the commission's work in its almost two months of operations with that of commissions from other countries, and characterized CNRR efforts as more than satisfactory.

DRUCKER